

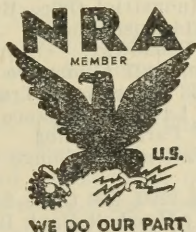
NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION

FOR THE

DOMESTIC
FREIGHT FORWARDING
INDUSTRY

AS APPROVED ON MAY 8, 1935



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Approved Code No. 162—Amendment No. 1

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

DOMESTIC FREIGHT FORWARDING INDUSTRY

As Approved on May 8, 1935

ORDER

APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE
DOMESTIC FREIGHT FORWARDING INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment to the Code of Fair Competition for the Domestic Freight Forwarding Industry, and an opportunity to be heard having been afforded to all interested parties and the annexed report on said amendment containing findings with respect thereto having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, the National Industrial Recovery Board, pursuant to authority vested in it by Executive Orders of the President, including Executive Order No. 6859, dated September 27, 1934, and otherwise, does hereby adopt and incorporate herein by reference said annexed report; does find that said amendment (in the form set forth in the Schedule referred to below) and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act; and does hereby order that said amendment (in the form set forth in the Schedule annexed hereto, marked Schedule "A", and by this reference made a part hereof) be and it hereby is approved and that the previous approval of said Code is hereby modified to include an approval of said Code in its entirety as amended.

NATIONAL INDUSTRIAL RECOVERY BOARD,
By W. A. HARRIMAN, *Administrative Officer*.

Approval recommended:

L. H. PEEBLES,
Division Administrator.

WASHINGTON, D. C.,
May 8, 1935.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

Sir: An application has been duly made pursuant to and in full compliance with the provisions of the National Industrial Recovery Act for an amendment of Article V of the Code of Fair Competition for the Domestic Freight Forwarding Industry.

The Code of Fair Competition for the Domestic Freight Forwarding Industry was approved on December 18, 1933. Article V contains six sections of general labor provisions. Recognizing the importance of establishing standards for safety and health, a new section, to be known as Section 7, is therefore proposed to be added to Article V. This section will require the submission of standards, providing for the safety and health of employees at the place and during the hours of their employment, within six months after the effective date of this amendment. After approval, such standards of safety and health shall become the minimum standards of safety and health for all members of the Industry and shall thereafter be a part of the Code and enforceable as such.

FINDINGS

The Deputy Administrator, in his final report to the National Industrial Recovery Board on the amendment to said Code, having found as herein set forth and on the basis of all the proceedings in this matter:

We find that:

(a) Certain members of the Industry are not following any adequate standards for the safety and health of their employees. Other things being equal, the expenses of a member who is not following such standards are less than those of a member who has adopted such standards and who is incurring additional expenses necessarily involved in following them. The competitive advantage gained by not following any adequate standards of safety and health is, as a matter of fact, unfair.

(b) The amendment to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstruction to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restric-

tion of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(c) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation subsection (a) of Section 3, subsection (a) of Section 7 and subsection (b) of Section 10 thereof.

(d) The Code Authority, which submitted the application for amendment of the Code, is truly representative of the Industry as a whole.

(e) The amendment and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(f) The amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(g) Those engaged in any other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendment.

For these reasons, this amendment has been approved.

For the National Industrial Recovery Board:

W. A. HARRIMAN,
Administrative Officer.

MAY 8, 1935.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE DOMESTIC FREIGHT FORWARDING INDUSTRY

The Code of Fair Competition for the Domestic Freight Forwarding Industry shall be amended by adding a new section to Article V, to be known as Section 7, to read as follows:

"7. Every employer shall make reasonable provision for the safety and health of his employees at the places and during the hours of their employment. Standards for safety and health shall be submitted by the Code Authority to the National Industrial Recovery Board for approval within six months of the effective date hereof. After approval, such standards shall become the minimum standards of safety and health for all members of the Industry and shall thereafter be a part of this Code and enforceable as such."

Approved Code No. 162—Amendment No. 1.
Registry No. 1411-25

(4)

SCHEDULE "A"

Article V, Code of Fair Competition for the Domestic Freight Forwarding Industry, is hereby amended by adding at the end thereof the following new Section:

"7. Every employer shall make reasonable provision for the safety and health of his employees at the places and during the hours of their employment. Standards for safety and health shall be submitted by the Code Authority to the National Industrial Recovery Board for approval within six months of the effective date hereof. After approval, such standards shall become the minimum standards of safety and health for all members of the Industry and shall thereafter be a part of this Code and enforceable as such."

(5)



